

REMARKS

The present Amendment is in response to the Office Action having a mailing date of June 5, 2003. Claims 1-13, 15-28 and 30-45 are pending in the present application. Applicant has amended Claims 1, 4, 11, 17, 19, 26, 38, 43, 45. Claims 2, 12-16, 18, 27-36, 41 have been cancelled. Consequently, claims 1, 3-11, 17, 19-26, 37-40, 42-45 remain pending in the present application.

Applicant includes a Petition for Extension of Time to extend the deadline for filing a response by three (3) months from September 5, 2003 to December 5, 2003.

35 USC §112 Rejections

The Examiner states:

3. **Claims 17 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

In claim 17, lines 2 and 3, “the error signal” and on line 5, “the error signal frequency” lacks proper antecedent basis.

Claim 18, is indefinite too as it depends from 17 and on line 3, “error signal frequency” is recited.

In Claim 31, line 1, “phase detector” is recited, should this be – frequency detector-instead? And, on line 3, “frequency detector” should this then be – phase detector-?

Applicant has made corrections in accordance with the Examiner's instructions.

Accordingly, Applicant submits that the claims are now clear and definite and the rejections under 35 USC 112 have been overcome.

Allowable Subject Matter

The Examiner states:

2. **Claims 2, 12, 27, 36, 38-40, 42, 43, and 45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The examiner could not find fair suggestion for the combiner circuit with mixer to produce the error signal, and a switched capacitor circuit as recited.**

3. **Claim 18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.**

Applicant appreciates Examiner's indication of allowability.

Applicant has amended claim 1 to include the limitations of allowable claim 2. Applicant has amended claim 4 to include the limitations of allowable claim 36. Applicant has amended claim 11 to include the limitations of allowable claim 12. Applicant has amended claim 17 to include the limitations of allowable claim 18. Applicant has amended claim 19 to include the limitations of allowable claim 41. Applicant has amended claim 26 to include the limitations of allowable claim 27. Allowable claim 28 has been rewritten in independent form. Allowable claim 43 has been rewritten in independent form. Allowable Claim 45 has been rewritten in independent form. Accordingly, with these amended changes, Claims 1, 3-11, 17, 19-26, 37-40 and 42-45 are allowable over the cited references.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
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Date


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